



California Regional Water Quality Control Board Central Valley Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

5 October 2006

CERTIFIED MAIL
7004 1160 0006 1206 2635

Mr. Mike Sommers
Winnemucca Trading Company Limited, Inc.
P. O. Box 4261
Incline Village, NV 89450

ORDER TO SUBMIT INFORMATION PURSUANT TO CALIFORNIA WATER CODE SECTION 13267, WINNEMUCCA TRADING COMPANY LIMITED, INC., FORMER SHASTA PAPER COMPANY FACILITIES AND PROPERTIES INCLUDING THE SHASTA PULP AND PAPER MILL WASTEWATER TREATMENT LAGOONS, SHASTA COUNTY

On 29 October 2004, the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board) Executive Officer issued Cleanup and Abatement Order (CAO) No. R5-2004-0717 to Winnemucca Trading Company Limited, Inc. requiring cleanup of wastes at the former Shasta Paper Company facilities and properties including the Shasta Pulp and Paper Mill, Shasta County.

CAO No. R5-2004-0717 specifically orders Winnemucca Trading Company Limited, Inc., in applicable part, to remove and properly dispose of chlorine and chemicals associated with any mill treatment system and dyes and other additives stored in the Shasta Pulp and Paper Mill warehouse by 1 April 2005; remove and properly dispose of petroleum coke and black liquor sludge stored at the Shasta Pulp and Paper Mill by 1 April 2005; sample and characterize paper pulp sludge contained in wastewater treatment lagoons, holding basins and clarifiers at the Shasta Pulp and Paper Mill by 1 April 2005; submit a plan to properly dispose of the sludge in the wastewater treatment lagoons, holding basins and clarifiers at the Shasta Pulp and Paper Mill by 1 April 2005; submit a plan to clean-close the holding basins, clarifiers and wastewater treatment lagoons in accordance with applicable sections of Title 27 - California Code of Regulations by 1 April 2005; and to complete closure activities associated with wastewater treatment lagoons, holding basins, and clarifiers at the Shasta Pulp and Paper Mill by 1 October 2006. To date, the items listed above have not been completed as required by CAO No. R5-2004-0717.

On 4 October 2006, Regional Water Board staff met with you and your legal counsel to discuss the lack of compliance with CAO No. R5-2004-0717. Based non-compliance with CAO No. R5-2004-0717 and agreements reached during that meeting, Winnemucca Trading Company Limited, Inc., is hereby ordered to provide the following information **by 10 October 2006**:

1. Results of the sludge characterization performed at the wastewater treatment lagoons, holding basins, and clarifiers at the former Shasta Pulp and Paper Mill;
2. A Feasibility Study that addresses disposal of residual sludge in the wastewater treatment lagoons, holding basins and clarifiers and also addresses final closure of those containment structures in accordance with Title 27 – California Code of Regulations, Section 21400. If options other than clean-closure are considered, include the information with the Feasibility Study;



3. Owner name and contact information, recorded grant deeds, current parcel maps, and any other information regarding parcel boundary adjustments since September 2004 for **each** of the following parcels, which are included in CAO No. R5-2004-0717: Assessor Parcel Nos. 090-140-007, 090-140-008, 090-150-001, 090-150-008, 090-150-009, 090-150-010, 090-150-011, 090-150-012, 090-160-010, 090-170-001, 090-170-004, 090-170-005, 090-170-007, 090-170-008, 090-100-004, and 090-090-008; and
4. A cost estimate for completing closure and post-closure maintenance activities associated with capping and closing the paper pulp sludge wastes in place at the wastewater treatment lagoons.

Each submittal must include a statement signed by an authorized representative of Winnemucca Trading Company Limited, Inc., certifying under penalty of law that the representative has examined and is familiar with the report, and that to his knowledge the report is true, complete, and accurate. The statement must also indicate that Winnemucca Trading Company Limited, Inc., endorses the information and conclusions provided in each submittal. Additionally, once the closure and post-closure maintenance cost estimates are approved, Winnemucca Trading Company Limited, Inc., and any other identified responsible parties will be required to demonstrate adequate financial resources in the amounts of the approved cost estimates, using one of the mechanisms identified in Chapter 6, Title 27 - California Code of Regulations, beginning with Section 22200.

This Order to submit technical reports or information is made pursuant to California Water Code (CWC) Section 13267. CWC Section 13267(b) authorizes the Regional Water Board to require any person who has discharged waste to submit technical reports as may be required to investigate discharges of waste. The above requested report is necessary to determine the extent of pollution and to develop corrective actions protective of public health, the environment, and water quality. The persons named in this letter own the site on which waste has been discharged, and/or caused or permitted the discharges of waste at the site, and are therefore responsible for cleaning it up.

Failure to comply with this Order or other Regional Water Board Orders may result in enforcement actions, including penalties. Failure or refusal to furnish the technical report or information required by CWC Section 13267(b) may result in administrative civil liability not to exceed one thousand dollars (\$1,000) per day for each day it is late pursuant to CWC Section 13268 or additional enforcement pursuant to CWC Section 13308, or both.

If you have any questions, please contact Mey Bunte of my staff at (530) 224-4788 or the letterhead address.



JAMES C. PEDRI, P.E.
Assistant Executive Officer

MEWB: sae

cc: Clint Snyder, VESTRA Resources, Redding
Jim Smith, Shasta County Environmental Health Division, Redding
Russ Mull, Shasta County Planning Division, Redding
Jack Reese, Reese Smalley Wiseman & Schweitzer, Redding

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>Mike Sommers Winne Mucca Trading PO Box 4261 Incline Village, NV 89450</p>		<p>C. Signature</p> <p>X <i>Kate Ann</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		<p>D. Is delivery address different from item 4? YES, enter delivery address below:</p> <p>RECEIVED OCT 27 2006</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p>		<p>7004 1160 000 1206 2635</p>	
PS Form 3811, July 1999		Domestic Return Receipt 102595-99-M-1789	